

REMARKS

Claims 1-18 are presently pending and stand rejected. Claims 19-21 are cancelled without prejudice. Claims 22-25 are added. Reconsideration in view of the following remarks is respectfully requested.

Claims 1-18 were rejected. Claims 1, 6, and 13 were provisionally rejected. Since the conflicting claims have not been in fact patented, Assignee reserves the right to address this rejection should the double-patenting rejection become actual.

Claims 1-6, 11-12, and 13-18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kono in view of Tada.

Kono is directed to a "Method and a Decoder for Decoding MPEG Video". In Kono, "The image decoding section 52 has a macro-block buffer (hereinafter to be referred to as MB buffer) 58 as an internal buffer. 0066. "The display control section 55 is supplied with vertical synchronization signal (V-Sync) 61 from the vertical synchronization signal generator 56. The display control section 55 reads all the parameters of a picture to be displayed from the corresponding parameter bank via a parameter transfer path 73." 0075.

Tada teaches an "information recording and reproducing apparatus 100 [that] includes a tuner 11 controlled by a system control circuit 10." "A recording and reproducing head 121 of the hard disk drive 12 records the MPEG signal M1 or M2 into a ring buffer area of a hard disk 120 in

response to a recording command signal supplied from the system control circuit 10." Col. 2, Lines 38-60.

In Tada "In case of executing what is called time shift reproduction for simultaneously performing the production of the recorded program during the recording operation, the user executes the reproducing command operation and the recording program designating operation by using the operating device 22." Col. 4, Lines 54-59. "[I]f it is determined that the difference value between the write position WP and the read position RP is smaller than the predetermined value a, the system control circuit 10 is shifted to the execution of WP predicting routine ... the system control circuit 10 discriminates whether or not the predictive write position WPP is larger than a program end position EP indicative of the last position of htep gram which is at present being reproduced. ... [I]f it is decided that the predictive write position WPP is larger than a program end position EP, the system control circuit 10 obtains a scheduled overwrite time N until overwriting is started by the following arithmetic operation:

$$N=(RP-WP)/(Sw - Sr)"$$

Claim 1 recites, among other limitations, "determining when to overwrite an existing image in the image buffers, and providing a signal to the decoder indicating when to overwrite the existing image in the frame buffer". Examiner has indicated that Kono does not "explicitly teach determining when to overwrite an existing image in the image buffers". Office Action at 4. "However, Tada in the

same [field of] endeavor discloses ... recording and producing information in a buffer. In fig. 3, step S14-S15 calculated overwriting time and display overwriting notice message (col. 7, lines 26-65). ... [I]t would have been obvious to ... have incorporated this feature into th system of Kono, in the manner as claimed, for the benefit of improving time shift positions during reproducing data."

Assignee respectfully traverses the rejection. It is first noted that in Tada, the described overwriting operation occurs in the Hard Disc Drive 12. "A recording and reproducing head 121 of the hard disk drive 12 records the MPEG signal M1 or M2 into a ring buffer area of a hard disk 120". See also, Tada Figure 2. It is noted that the "MPEG signal" is encoded data (see, for example, MPEG Encoder 14). In the claimed invention, claim 1, the "image buffers" store "decoded images". Accordingly, since the overwriting occurs in the hard disc drive that stores the "MPEG encoded data", Tada does not teach the claimed "determining when to overwrite an existing image in the image buffers".

Additionally, Assignee traverses the rejection because Kono modified by Tada would be inoperable. It is noted that in Tada, the time of overwriting is a function of the recording rate of the recorded program Sw and the reproduction rate of the reproduced program Sr. However, "the time shift reproduction" during which Tada calculates the time overwrite time does not occur in Kono. Thus, Kono modified by Tada would not be operable to perform

"determining when to overwrite an existing image in the image buffers".

Moreover, Tada modified by Kono would also not teach the "determining when to overwrite an existing image in the image buffers". It is noted that Examiner reads the image buffer onto Kono 58. Tada includes an MPEG video decoder. In Tada, the overwriting would occur prior decoding by the MPEG video decoder. However, the MB buffer 58 is within the decoding section of Kono. Accordingly, Tada modified by Kono would not teach "determining when to overwrite an existing image in the image buffers".

Third, Assignee respectfully traverses the rejection because the modification of Kono with Tada would also render Tada unsuitable for its intended purpose. It is noted that in Kono, "The MB buffer 58 temporarily stores a decoded picture in a macroblock unit (8x8 pixels)." Tada, which teaches a system that allows a user to record, or reproduce a recorded program, could not do so if combined with Kono. The MB 58 in Kono would be too little memory for Tada's intended purpose.

Accordingly, Examiner is requested to withdraw the rejection to claims 1 and dependent claims 2-11 and 22-25. Additionally, because claim 13 is rejected on the same basis as claim 1, Assignee respectfully requests that Examiner withdraw the rejection to claim 13 and dependent claims 14-18.

Claim 3 recites, among other limitations, "a first memory" and "wherein the first memory stores an instruction

set for the decoder". It is noted that Examiner has read the "first memory" onto Kono, MB buffer 58. Assignee respectfully submits that the MB buffer 58 does not store "an instruction set for the decoder".

New claim 22 is added reciting, among other limitations, "wherein the display manager determines when to overwrite an existing image in the image buffer based at least in part on at least one of the decoded parameters". Tada determines when overwriting occurs using the formula,  $N = (RP - WP) / (Sw - Sr)$ , none of which are decoded parameters. Accordingly, allowance is respectfully requested for claim 22.

New claim 23 is added reciting, among other limitations, "wherein the display manager determines when to overwrite an existing image based on the parameter indicating when the system is utilizing the technique requiring selective images to be displayed more than once." Tada does not teach the foregoing. Accordingly, allowance is respectfully requested for claim 23.

New claim 24 is added reciting, among other limitations, "wherein the display manager determines when to overwrite an existing image with another image, wherein the another image and the existing image are from a same video sequence." Clearly in Tada, the reproduced program and the recorded program would be different video sequences. Accordingly, allowance is respectfully requested for claim 24.

#### Conclusion

For the foregoing reasons, Assignee respectfully submits all of the pending claims are in a condition for allowance, thereby placing the application in a condition for allowance. It is believed that there is no fee associated with any of the actions requested herein. To the extent that there is any fee associated with any actions requested herein, the Commissioner is requested to charge such fee to deposit account 13-0017.

RESPECTFULLY SUBMITTED



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Mirut Dalal - Reg. No. 44,052  
ATTORNEY FOR ASSIGNEE

McANDREWS, HELD & MALLOY, LTD.  
500 West Madison - Suite 3400  
Chicago, IL 60661

Phone (312) 775-8000  
FAX (312) 775-8100